

CONSERVATION COMMISSION
Minutes
January 20, 2022 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM

Present: Edward Clancy-Chairman, Allan White, Dennis Demers, David Williams, Karin Paquin and William Dunbar. Priscilla Ryder - Conservation Officer was also present.

Absent: John Skarin,

Approval of Minutes: The minutes of January 6, 2022, were reviewed and on a motion by Mr. White second by Mr. Clancy, to approve. The Commission voted unanimously 6-0 to approve.

Public Hearings:

Abbreviated Notice of Intent
111 Cullinane Dr. – Yi Zhou

Mr. Zhou and his wife were present at the meeting. He explained that he wanted to add a small retaining wall 2' high, 62' long and 8" wide. It would be a modular wall with a footing 1' below the surface. He would like to install it when the water is down, either this winter/spring (if weather allows) or next fall when the water is lowered again. Wall will be dug by hand with all excess materials being removed from the site. Ms. Ryder noted that City Engineer Tom DiPersio had confirmed from the as-built plan where the 262' elevation, which represents the 100-year floodplain, is located. 262' corresponds to the 82' elevation shown on the as built plan for this property. She noted that the new wall would need to be located outside the 262' elevation so it is outside of the floodplain. She also confirmed that according to the City Engineer the property line corresponds to the high-water mark, not as shown on the as-built plan.

Mr. Dunbar asked whether this new wall sets a precedence for the 20' no disturb buffer zone and how to justify this. Other walls around the lake are replacement walls not new walls so he wanted to understand. On Paquin Dr. beach and at the Bolton St. Tavern, limited clearing was allowed. Ms. Ryder noted that where there is vegetation and habitat value with bank undercut then a wall would not be appropriate. Where there is grass to the waters edge there is less habitat value. Mr. Demers asked if there were other retaining walls next door, and the answer was yes, there are walls on either side of this property at the water's edge. Mr. Clancy noted that the walls would need to match up somehow and suggested that the wall be staked out prior to any construction to ensure it is in the right place and above the 262' elevation. Mr. & Mrs. Zhou both explained that they had recently moved into this house and because everyone else has walls and they are noticing the yard subsiding towards the lake, they thought a wall would help prevent further sinking of the soil along the shoreline. The abutter Joanne Bigwood next door at 115 Cullinane Dr. noted that they have no objection to the wall but want to be certain it is not encroaching onto their property. Mr. Zhou indicated they would only impact their own property. After further discussion about the floodplain and the wall design and location as shown on the plans and there being no further questions from the Commission or the public, the hearing was closed. Ms. Ryder was asked to draft conditions for review at the next meeting.

Amended Notice of Intent – 22-1215
107 Simarano Dr. – Post Road Realty LLC.

Prior to the meeting, the applicant requested the hearing be continued to the Feb. 3rd meeting to allow time to revise the plans. The Commission continued this hearing to the Feb. 3, 2022, meeting.

Project Updates/Violation Notices

- 896 Boston Post Rd. – Renovo's Landscaping - The owner had informed Ms. Ryder that he could not attend this meeting but would plan to attend the Feb. 3rd meeting to discuss and review.
- 890 Boston Post Rd. – Cornerstone Landscaping – The owner has informed Ms. Ryder that he has hired Bruce Saluk P.E. to revise the plans and submit a Notice of Intent for the materials they have stored in the 100' buffer zone. They expect to file for a meeting in either Feb. or March depending on when the plans can be prepared.

Discussion:

Annual Review of Policies

- Tree policy - The Commission discussed the existing tree policy. They discussed whether the existing tree canopy should be considered when allowing trees to be removed. Where does the number of "4" trees to be removed come from? Ms. Ryder noted that she had copied what other communities had done. Mr. Demers noted that 4 trees was the limit we discussed after which a permit is necessary. It is a random number, the Commission decided to leave it at 4 trees. Tree canopy should be considered when a tree is removed. If there are no trees in the area to take its place, should the Commission require replanting? Could be on a case-by-case basis. Could add a condition about tree replanting on a case-by-case basis, ornamental or native tree? Two trees to replace one. Ms. Ryder will draft these changes for review at the next meeting.
- Wetland Setback Policy – The Commission reviewed the policy; the question was raised as to whether the Commission would like to consider a local wetlands ordinance which would be stricter than the state law. After some discussion the Commission opted to look at updating the setback policy. Other communities have 25, 30 or 50' setbacks. After some lengthy discussion, it was determined to look at the science and compare what other communities of similar size and population have for wetland setback policies. There was discussion about enforcement and a wider no build wetland buffer zones. Ms. Ryder was asked to review other policies and provide an analysis to the Commission for review.

Salt Results at Landfill Snow Dump

- Mr. Scott, Assistant Commissioner of Operations had submitted an e-mail providing results of their salt testing operation. He also had answered a few questions that had been raised.
 - 1. Test results: The results of the tests indicate that there is no detectable salt in the runoff from the landfill snow dump. The brineometer was used to determine the salt content of the runoff from the snow pile.
 - 2. He explained that he can send out samples to be tested to determine salt content.
 - 3. Trash from snow pile: Trash was minimal and was picked up once the snow pile melted.
 - 4. Soil test for salt: Soil tests need to send out to a lab as they can't do that in house.

Mr. Scott further explained in the e-mail and during a phone call with Ms. Ryder that: Most of the salt getting into Ft. Meadow Reservoir comes from the roadway into the catchbasins and directly into the lake. Not so much from the snow pile, in his opinion. Mr. Scott also noted that the catch basin repair is being done in house which helps to educate his crew on how damaging salt can be to these structures, and hopefully educates them about how important the reduced salt application does.

Mr. Clancy provided a Globe Article about salt, which does recommend brine use rather than rock salt as the preferred method which uses less salt. After some discussion the questions raised were: How accurate is the brineometer and how specific is this measurement? Regular reporting is requested at certain intervals and was determined that the best location to test would be in the detention basin into which everything runs. The sampling protocol should be decided by the lab since they know the best way to do that and will likely be the deeper water since salt is heavier.

Ms. Ryder was asked about the salt shed at 600 Nickerson Rd.; photos were shown. Need to keep the salt dry so no water can wash the salt away into the catch basins. Need to be covered so it cannot “bleed” out into the parking lot.

86 Roosevelt St. – 212-1226 - The Commission reviewed the minor changes to the plan to add stairs and a landing outside the 50’ buffer zone as shown on the plan presented. Ms. Ryder noted this is similar to the last house next door and showed a photo of it. The Commission agreed that this was a minor change and did not require further review. It was unanimously approved. Ms. Ryder will send a letter to Mr. O’Malley with this decision.


Correspondence:

- 212-1229 Parcel L - Hayes Memorial Dr. – Wetland Restoration Report Fall 2021 dated 1/11/2022. The Commission was pleased that the restoration is coming along so well. Ms. Ryder noted that one more year of monitoring will be done before this is completed.
- Grant Award - Desert Natural Area Climate Resiliency Grant – Letter dated 1/11/2022. Mr. Clancy thanked Ms. Ryder and Ms. Paquin for the work on the grant application. Ms. Ryder and Ms. Paquin explained the three items to be done with the funds, which include: 1. Fire break maintenance, 2. Old log pile removal, and 3. Selective harvest and thinning of 23 acres of land in preparation for future prescribed burn which is needed to restore the rare- pitch-pine-scrub oak forest. They will update the Commission regularly as this unfolds.
- Letter from National Grid RE: upcoming sideline vegetation management activities. This was reviewed and placed on file.
- Spotted Lanternfly - Mr. Clancy noted that he saw the report that this fly has been discovered in Shrewsbury now. So, lots of education and vigilance in looking out for this fly will be critical since it can devastate apple orchards and grape vines as well as many other trees. This is a high alert bug to look out for and educate far and wide. “If you see it, kill it.” Posters were shown and will be distributed.

Next Conservation Commission meetings: February 3 and Feb. 17, 2022

Adjournment - There being no further discussion, the meeting was adjourned with a motion by Mr. White, second by Mr. Demers to adjourn the meeting, the Commission voted 6-0 to approve.

Respectfully submitted,


Priscilla Ryder
Conservation/Sustainability Officer